

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>SCOTT TOELK a/k/a SCOTT</b>	<b>:</b>	<b>CIVIL ACTION</b>
<b>DIDONATO, RICHARD TOELK, and</b>	<b>:</b>	
<b>VERONICA TOELK-GARBARINO,</b>	<b>:</b>	<b>NO. 09-5630</b>
<b>Plaintiffs,</b>		<b>:</b>
		<b>:</b>
<b>v.</b>	<b>:</b>	
		<b>:</b>
<b>PAUL MORRISSEY, ANDY WARHOL</b>	<b>:</b>	
<b>FOUNDATION FOR THE VISUAL</b>	<b>:</b>	
<b>ARTS, INC., IMAGE ENTERTAINMENT,</b>	<b>:</b>	
<b>INC., and SCORE-SARX COMPANY.,</b>	<b>:</b>	
<b>Defendants.</b>		<b>:</b>

**O R D E R**

**AND NOW**, this 19th day of April, 2010, upon consideration of Defendant Andy Warhol Foundation for the Visual Arts, Inc.'s Motion to Dismiss Plaintiffs' Second Amended Complaint (Document No. 29, filed March 22, 2010), Defendant Paul Morrissey's and Image Entertainment, Inc.'s Motion to Dismiss the Second Amended Complaint (Document No. 30, filed March 22, 2010), plaintiffs' Motion for Voluntary Dismissal (Document No. 31, filed April 1, 2010), defendant Paul Morrissey's and Image Entertainment, Inc.'s Memorandum of Law in Opposition to the Motion for Voluntary Dismissal of the Second Amended Complaint Pursuant to FRCP 41(a)(2) (Document No. 32, filed April 15, 2010), and Defendant Andy Warhol Foundation for the Visual Arts, Inc.'s Brief in Opposition to the Motion for Voluntary Dismissal (Document No. 33, filed April 15, 2010), **IT IS ORDERED** that, on or before May 4, 2010, plaintiffs shall: (1) file and serve responses to defendants' motions to dismiss, and (2) file and serve replies to defendants' responses to plaintiffs' Motion for Voluntary Dismissal. Two (2) copies of each

such document shall be served on the Court (Chambers, Room 12613) when the original is filed.

BY THE COURT:

/s/ Jan E. DuBois

**JAN E. DUZOIS, J.**